

Appeal Decision

Site visit made on 1 September 2017

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 September 2017

Appeal Ref: APP/B1740/D/17/3178956
47 Stanley Road, Lymington, SO41 3SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Pinkney against the decision of New Forest District Council.
 - The application Ref 17/10037, dated 12 January 2017, was refused by notice dated 12 April 2017.
 - The development proposed is the erection of a two-storey and single-storey rear extension; single-storey side extension; and fenestration alterations.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey and single-storey rear extension; single-storey side extension; and fenestration alterations at 47 Stanley Road, Lymington, SO41 3SL in accordance with the terms of the application, Ref 17/10037, dated 12 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan at scale 1:1250; Block Plan #BO1 at scale 1:500; Drg No 47-01-E; and Drg No 47-02-D.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. I have used the description that was given on the decision notice and which was repeated on the appeal form. This gives an accurate but more succinct description of the proposed works compared with that which was given on the application form.
3. The application was amended through the submission of revised plans upon which I have relied.

Main Issue

4. The main issue is the effect of the proposal upon the character and appearance of 47 Stanley Road and the Kings Saltern Conservation Area.

Reasons

5. The appeal property is a detached dwelling with a narrow elevation facing Stanley Road and deeper footprint extending into the plot. The original building has a cropped gabled roof to the front and rear. To the rear is a subservient, two-storey gabled extension across part of the property's width, with a further flat roofed single-storey addition beyond. The proposal is to enlarge the existing extension to the rear by building over the flat roof addition at first floor level and beyond that to construct a single-storey extension that would wrap around one side of the two-storey additions.
6. The Council has accepted that the first floor extension would itself be quite a modest addition. I do not disagree. Whilst the two-storey scale of the original building would inevitably be enlarged, I do not share the Council's view the addition at this level would dominate the original form of the dwelling. The combined form of the extensions would remain to be clearly distinguished from the original building by appearing slightly recessed when seen in the gap between No 47 and the neighbouring property at No 49 to the east, and more noticeably so by its slightly lower eaves line and its significantly lower ridge. Its new hip end would serve to limit, to some extent, the additional bulk that would be created at this elevated position but which would equally follow a logical stepped progression to the roof form of the dwelling overall. I am satisfied that the first floor extension would be appropriately subservient in relation to the original building, appearing as a well-considered and fully integrated addition.
7. The footprint of the original dwelling would be significantly enlarged through the addition of the single-storey element. However, this does not necessarily equate to harm. The enlarged building would sit comfortably on its plot, which is deep, and there would be no loss of space to either side that would impact upon the street scene.
8. My attention has been drawn to the planning history that relates to No 47. I note that the wrap-around form and general style of the single-storey extension that is now proposed is similar to that which was granted planning permission in 2007 (Ref: 07/90473) and again in 2008 (Ref: 08/92611). Neither of these permissions were implemented and both are of some age and have lapsed. Nevertheless, and despite the additional depth of this element that is now proposed, I fail to have a clear understanding from the Council's officer's report how this style of extension could now be considered to harmfully swamp the original plan form of the dwelling.
9. The amendments that were made to the proposal confirm the omission of render that was initially proposed; the use of natural slate to the extensions; and the use of conservation rooflights throughout.
10. My impression is that, whilst the resulting building would be significantly larger than the original, the additions would appear well-considered and fully integrated with the character and form of the original property. The property's

modest width across the plot would be retained, as would the charming features and detailing of its front elevation, together with the distinguishable scale and form of its original proportions.

11. I have had regard to the Council's Conservation Area Statement for the Kings Saltern (Lymington) Conservation Area as well as the Lymington Local Distinctiveness Supplementary Planning Document (SPD), which was adopted in February 2011. However, I have been unable to detect, and neither has my attention been drawn to, any specific reference within these documents to any particular significance of No 47 either in terms of its architecture or its history. Notwithstanding, I recognise that it makes a positive contribution to the character and appearance of the Conservation Area. Nevertheless, for the reasons given, I am satisfied that there would be no harm to the character or appearance of No 47 or to the mixed character and appearance of the street scene at this point. It follows therefore that the character and appearance of the Kings Saltern Conservation Area would be preserved.
12. In light of the above, I find no conflict with Policy CS2 of the New Forest District (outside the National Park) Core Strategy (CS): Adopted 26 October 2009, which deals with design quality and which, amongst other things, seeks to ensure new development is appropriate and sympathetic to its setting. Neither would there be any conflict with the aims and objectives of either, CS Policy CS3 or Policy DM1 of the New Forest District (outside the National Park) Local Plan Part 2: Sites and Development Management (2014) as they both seek to protect sites of recognised importance for heritage conservation. Neither would there be any conflict with the National Planning Policy Framework as it relates to these same issues.

Other Matters

13. Concern has been raised that the rear extension would obscure the views of trees in the rear gardens that can be seen through the gaps between properties and which the SPD recognises as being important to the character of the area. However, the gaps between neighbouring properties would be unaffected and although the rear first floor extension would be seen in oblique views from Stanley Road, its visual impact would not be so significant as to obscure the backdrop of trees that can be appreciated from this aspect.
14. There are no new flank windows proposed at first floor level. The new ground floor flank windows would face towards existing boundary enclosures and at reasonably close quarters. There would be no potential for any increased levels of overlooking towards neighbouring plots. No 49 occupies a fairly large plot and is separated from the proposed extensions by sufficient distance ensuring that they would not appear visually intrusive or overbearing when seen from this property.
15. The first floor addition would be set away from the boundary to the west with No 45. Although it would project beyond the rear wall of No 45 this would not be to any significant degree and given the separation distance involved it would not appear intrusive or overbearing. The single-storey height of the extension beyond this; the degree to which it would project beyond No 45; and the separation that would be achieved with the boundary to No 45 would combine to ensure that this element of the proposal would not appear visually

intrusive or harmful when viewed from this neighbouring property. Although there may be some shadow cast over part of the rear garden to No 45 from the extensions during the first part of the morning, I am not persuaded that this would be significant or seriously harmful to the neighbours' living conditions. It is noteworthy also that the Council raised no concerns with regard to the impact of the proposal upon the amenities of any neighbouring occupiers.

16. I have noted suggestions that the proposal should be considered consistently with a proposal that was refused for extensions to No 45 in 2011. However, I have no specific details of that case and am therefore unable to draw any direct comparisons. In any event the appeal has been considered on its own merits.

Conditions

17. I have imposed a condition specifying the relevant drawings as this provides certainty. The Council has suggested a condition requiring that details of the external materials should be submitted for approval. However, the revised plans show that the works would be completed in materials to match the existing and a condition accordingly would be sufficient and reasonable in order to safeguard the character and appearance of the area.
18. The Council has suggested that details of all new joinery, eaves, verges and the conservation roof lights should be submitted to them for approval. They give no specific reason for doing so however and I am satisfied that the details shown on the plans are sufficiently explicit to ensure that the development would properly safeguard the character and appearance of the area. No such conditions are necessary.

Conclusions

19. For the reasons given I conclude that the proposal would not harm the character or appearance of 47 Stanley Road and that the character and appearance of the Kings Saltern Conservation Area would be preserved. As such the area's significance as a heritage asset would be unaffected. In the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR